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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/871,920	06/01/2001	Linda D. Edd	IBM/199	1378
26517	7590	08/16/2005	EXAMINER	
WOOD, HERRON & EVANS, L.L.P. (IBM) 2700 CAREW TOWER 441 VINE STREET CINCINNATI, OH 45202			BASHORE, WILLIAM L	
			ART UNIT	PAPER NUMBER
			2176	

DATE MAILED: 08/16/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/871,920

Applicant(s)

EDD ET AL.

Examiner

William L. Bashore

Art Unit

2176

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 01 June 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-51 and 59 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-51 and 59 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

20

DETAILED ACTION

1. This action is responsive to communications: amendment filed 6/1/2005, to the original application filed 6/1/2001. IDS filed 8/20/2001, and 1/29/2002.
2. Claims 1-50, 59 pending. Claims 51-58 have been canceled. Claims 1, 32, 50, 59 are independent.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

4. **Claims 1-50, 59 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ivanov (hereinafter Ivanov), U.S. Patent No. 5,706,452 filed December 6, 1995, in view of Klibaner (hereinafter Klibaner), published U.S. Application No. US 2002/0161597, filed June 28, 2000.**

In regard to independent claim 1, Ivanov teaches management of content in a content controlled database. Ivanov teaches a documents/Reviews Database along with a Workflow Graph Description and Workflow Manager for managing said content database (Ivanov Figure 2 items 30, 38, 40, also column 7 lines 1-67, column 8 lines 15-20, 34-52).

Ivanov teaches processing via a plurality of stages for review and finalization (i.e. "approval") (Ivanov column 8 lines 44-67, column 27 lines 10-11). Various stages/reviews are updated (promoted) accordingly (Ivanov column 23 lines 50-64, column 24 lines 5-13).

Art Unit: 2176

Ivanov teaches an embodiment including an approval/rejection process for a product proposal in a software company (Ivanov column 26 lines 30-67, column 27 lines 1-12). Ivanov does not specifically teach that the final content is promoted by making said content “user accessible” in a database. However, Klibaner teaches a dispute resolution process incorporating various parties, as well as a database for holding content information (Klibaner Figure 1, also paragraph [0025]). Klibaner teaches content may be available to all parties, or some parties, etc., as well as teaching levels of confidentiality and an option: “decision can be published” (Klibaner paragraphs [0048] and [0070]). It would have been obvious to one of ordinary skill in the art at the time of the invention to apply Klibaner’s confidentiality/publishing options to Ivanov’s product proposal database, providing users of Ivanov’s content database the capability of publically accessing various important related information from its database pending final resolution.

In regard to dependent claim 2, Ivanov teaches Lotus Notes, coupled with a database and workflow managers, all integrated via network to provide a “groupware” type environment to a plurality of users (Ivanov column 7 lines 22-43).

In regard to dependent claims 3-7, 9, Ivanov teaches a content database with an associated Workflow Graph Description, said content typically indexed accordingly (i.e. identifiers, etc.), documents are also updated accordingly and indexed between said Graph Description and Content Database (Ivanov Figure 2). Ivanov also teaches current stages (Ivanov column 15 lines 1-10, 42-44).

In regard to dependent claim 8, Ivanov does not specifically teach a Website on the Internet. However, Klibaner teaches a Website on the Internet (Klibaner Figure 1). It would have been obvious to one of ordinary skill in the art at the time of the invention to apply Klibaner to Ivanov, providing Ivanov the benefit of the World Wide Web for access from remote locales.

Art Unit: 2176

In regard to dependent claims 10-18, 21-31, Ivanov teaches a preparer (i.e. topic owner) resubmitting rejected proposals (Ivanov column 26 lines 44-50, column 27 lines 15-20), each submission can be interpreted as a draft (i.e. in development stages), pending final approval, with the entire approval process stating over (updating) accordingly, various entities notified accordingly via E-mail (see also Ivanov column 5 lines 24-30). In addition, Ivanov teaches copyright reviewers (Ivanov column 26 lines 59-64), copyright laws are generally country specific, as well as recording specific dates (Ivanov column 23 lines 60-62, column 15 lines 42-45).

In regard to dependent claims 19-20, Ivanov teaches various stages for document content review. Ivanov does not specifically teach copying content to a Web server. However, Klibaner teaches a Webste (i.e. a Web server) drawing content from a database (Klibaner Figure 1). It would have been obvious to one of ordinary skill in the art at the time of the invention to apply Klibaner to Ivanov, providing Ivanov the benefit of a Web server for users to access a content database.

In regard to independent claim 32, claim 32 reflects the apparatus comprising computer executable instructions used for implementing the methods as claimed in claim 1, and is rejected along the same rationale.

In addition, Ivanov teaches a memory (Ivanov column 18 lines 37-40).

In regard to dependent claims 33-49, claims 33-49 reflect the apparatus comprising computer executable instructions used for implementing the methods as claimed in claims 2-31, and are rejected along the same rationale.

In regard to independent claim 50, claim 50 reflects the computer program product comprising computer executable instructions used for implementing the methods as claimed in claim 1, and is rejected along the same rationale.

Art Unit: 2176

In addition, Ivanov teaches a memory, and a network (utilizing mediums, etc.) (Ivanov column 18 lines 37-40, column 7 lines 22-31).

In regard to independent claim 59, claim 59 incorporates substantially similar subject matter as claimed in claim 1, and in further view of the following, is rejected along the same rationale.

Ivanov teaches a set of methods of doing business (i.e. a service) regarding a series of document reviews (Ivanov Abstract, column 1 lines 6-15, Figures 1-3)

Response to Arguments

5. Applicant's arguments filed 6/1/2005 have been fully and carefully considered but they are not persuasive.

The main thrust of Applicant's arguments (pages 14-18 of the amendment) is directed to the assertion that Klibaner does not teach controlling access to any content based upon a content management process. The examiner respectfully disagrees. Klibaner teaches a dispute resolution process incorporating various parties, as well as a database for holding content information. Klibaner teaches content may be available to all parties, or some parties, etc., as well as teaching levels of confidentiality and an option: "*decision can be published*". It is noted that the pending independent claims do not specifically require automation. In addition, Klibaner's notation of various document's and decisions for publication is a form of "promotion". Since disputes are often associated with legal action, publishing a resolution decision promotes said decision (and its history, etc.) for possible use in various future litigations, etc., much in the same way Federal Circuit case decisions influence the direction of future legal prosecution.

Conclusion

6. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).


A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to William L. Bashore whose telephone number is (571) 272-4088. The examiner can normally be reached on 11:30am - 8:00pm EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph Feild can be reached on (571) 272-4090. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 2176

8. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


WILLIAM BASHORE
PRIMARY EXAMINER

August 14, 2005